

AMENDED IN SENATE SEPTEMBER 3, 1999

AMENDED IN SENATE AUGUST 16, 1999

AMENDED IN ASSEMBLY MAY 28, 1999

AMENDED IN ASSEMBLY APRIL 21, 1999

AMENDED IN ASSEMBLY APRIL 14, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1473

**Introduced by Assembly Members Hertzberg, Corbett, and
Torlakson**

(Coauthor: Senator Peace)

February 26, 1999

An act to repeal and add Article 2 (commencing with Section 13100) of Chapter 2 of Part 3 of Division 3 of Title 2 of the Government Code, relating to capital financing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1473, as amended, Hertzberg. Capital outlay: state planning and funding.

Existing law requires the Director of Finance to prepare annually a report projecting the state's potential need for the financing of major capital outlay projects over a 10-year period. Existing law generally prohibits funds appropriated for capital outlay from being expended by a state agency until the Department of Finance and the State Public Works Board have approved preliminary plans for the project to be financed from the appropriation for capital outlay. Existing

law also requires the Governor's Budget to contain a complete plan and itemized statement of all proposed expenditures of the state and all estimated revenues.

This bill would require the Governor, in conjunction with the Governor's Budget, to submit annually to the Legislature a proposed 5-year infrastructure plan containing specified information concerning infrastructure needed by state agencies, schools, and postsecondary institutions and a proposal for funding the needed infrastructure.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known and may be cited
2 as the California Infrastructure Planning Act.

3 SEC. 2. Article 2 (commencing with Section 13100) of
4 Chapter 2 of Part 3 of Division 3 of Title 2 of the
5 Government Code is repealed.

6 SEC. 3. Article 2 (commencing with Section 13100) is
7 added to Chapter 2 of Part 3 of Division 3 of Title 2 of the
8 Government Code, to read:

9

10 Article 2. Infrastructure Plan

11

12 13100. It is the intent of the Legislature in enacting
13 this article that the state shall establish and annually
14 update a five-year plan for funding infrastructure. The
15 plan shall include input by the Legislature as provided in
16 Section 13104. The plan shall identify state infrastructure
17 needs and set out priorities for funding. The plan need not
18 identify specific infrastructure projects to be funded, but
19 it shall be sufficiently detailed to provide a clear
20 understanding of the type and amount of infrastructure
21 to be funded and the programmatic objectives to be
22 achieved by this funding. The plan is intended to
23 complement the existing state budget process for
24 appropriating funds for infrastructure by providing a
25 comprehensive guideline for the types of projects to be
26 funded through that process.



1 13101. As used in this article, “infrastructure” means
2 real property, including land and improvements to the
3 land, structures and equipment integral to the operation
4 of structures, easements, rights-of-way and other forms of
5 interest in property, roadways, and water conveyances.

6 13102. Beginning January 10, 2002, in conjunction
7 with the Governor’s Budget submitted pursuant to
8 Section 13337, the Governor shall submit annually a
9 proposed five-year infrastructure plan to the Legislature.
10 This plan shall cover a five-fiscal-year period beginning
11 with the fiscal year that is the same as that covered by the
12 Governor’s Budget with which it is being submitted.

13 The infrastructure plan shall contain the following
14 information for the five years it covers:

15 (a) (1) Identification of new, rehabilitated,
16 modernized, improved, or renovated infrastructure
17 requested by state agencies to fulfill their responsibilities
18 and objectives as identified in the strategic plans that they
19 are required to prepare pursuant to Section 11816.

20 (2) Aggregate funding for transportation as identified
21 in the four-year State Transportation Improvement
22 Program Fund Estimate prepared pursuant to Sections
23 14524 and 14525.

24 (3) Infrastructure needs for Kindergarten through
25 grade 12 public schools necessary to accommodate
26 increased enrollment, class size reduction, and school
27 modernization.

28 (4) The instructional and instructional support
29 facilities needs for the University of California, the
30 California State University, and the California
31 Community Colleges.

32 (b) The estimated cost of providing the infrastructure
33 identified in subdivision (a).

34 (c) A proposal for funding the infrastructure
35 identified in subdivision (a), subject to the following
36 criteria:

37 (1) If the funding proposal does not recommend
38 funding the entirety of the infrastructure identified in
39 subdivision (a), then the proposal shall specify the

1 criteria and priorities used to select the infrastructure it
2 does propose to fund.

3 (2) The funding proposal shall identify its sources of
4 funding and may include, but is not limited to, General
5 Fund, state special funds, federal funds, general
6 obligation bonds, lease revenue bonds, and installment
7 purchases. If the plan proposes the issuance of new state
8 debt, it shall evaluate the impact of that debt on the state's
9 existing overall debt position.

10 (3) The funding proposal is not required to
11 recommend specific projects for funding, but may
12 instead recommend the type and quantity of
13 infrastructure to be funded in order to meet
14 programmatic objectives which shall be identified in the
15 proposal. However, any capital outlay or local assistance
16 appropriations intended to fund infrastructure included
17 in the Governor's Budget that coincides with the first
18 year of the infrastructure plan shall derive from, and be
19 encompassed by, the funding proposal contained in the
20 plan.

21 13103. The Governor may order any entity of state
22 government to assist in preparation of the infrastructure
23 plan.

24 13104. It is the intent of the Legislature that the
25 proposed infrastructure plan be considered by the
26 Legislature in conjunction with its consideration of the
27 ~~Budget Bill. In this regard, the plan may be included, in~~
28 ~~whole or in part, in a statute and, where appropriate, as~~
29 ~~part of the Budget Bill. The Legislature may also suggest~~
30 ~~revisions to the plan that may be accepted by the~~
31 ~~Governor. Unless otherwise provided by statute, the~~
32 ~~infrastructure plan, as revised by the Governor in~~
33 ~~response to input from the Legislature, shall become~~
34 ~~effective the first day of the fiscal year for which the plan~~
35 ~~was submitted by the Governor. Budget Bill.~~